

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 COPPER SANDS HOMEOWNERS )  
4 ASSOCIATION, INC. *et al.*, )

5 Plaintiffs, )

6 vs. )

7 COPPER SANDS REALTY, LLC, *et al.*, )

8 Defendants. )  
9

Case No.: 2:10-cv-00510-GMN-NJK

**ORDER**

10 Pending before the Court is the Order to Show Cause (ECF No. 654) issued by the Court  
11 on January 16, 2014. Defendant Cannon Management Company (“Cannon”) filed a Response  
12 (ECF No. 665) and Plaintiffs filed a Reply (ECF No. 666).

13 Also pending before the Court is the Stipulation for Extension of Time for Submission  
14 of a Proposed Joint Pre-Trial Order. (ECF No. 674.)

15 **I. PENDING MOTIONS FOR SUMMARY JUDGMENT**

16 In its Response to the Court’s Order to Show Cause, Cannon contends that the following  
17 motions remain ripe for ruling:

- 18 1. The Motion for Summary Judgment by Application of Statutes of Repose and Limitation  
19 Periods, originally filed on January 25, 2012, by Defendants, Copper Sands Realty,  
20 LLC, Dario De Luca, Robert Colucci, Copper Sands Investors, LP, Renato De Luca  
21 a/k/a Ray De Luca and Ray De Luca, Pacifica Enterprises Holdings, LP, Pacifica  
22 Enterprises, Inc., Pacifica Enterprises LLC, Pacifica Real Estate Investments, Inc.,  
23 Pacifica Real Estate Services, Inc., and Vimark RE Enterprises, LLC. (ECF No. 309.)  
24 Cannon subsequently filed a Joinder to this Motion on February 1, 2012. (ECF No. 324.)
- 25 2. The Motion for Partial Summary Judgment Due to Disclosures and Disclaimers  
originally filed on January 25, 2012, by Defendants, Copper Sands Realty, LLC, Dario

1 De Luca, Robert Colucci, Copper Sands Investors, LP, Renato De Luca a/k/a Ray De  
2 Luca and Ray De Luca, Pacifica Enterprises Holdings, LP, Pacifica Enterprises, Inc.,  
3 Pacifica Enterprises LLC, Pacifica Real Estate Investments, Inc., Pacifica Real Estate  
4 Services, Inc., and Vimark RE Enterprises, LLC. (ECF No. 310.) Cannon subsequently  
5 filed a Joinder to this Motion on February 1, 2012. (ECF No. 326.)

6 3. The Motion for Partial Summary Judgment Due to Assumption of Risk originally filed  
7 on January 25, 2012, by Defendants, Copper Sands Realty, LLC, Dario De Luca, Robert  
8 Colucci, Copper Sands Investors, LP, Renato De Luca a/k/a Ray De Luca and Ray De  
9 Luca, Pacifica Enterprises Holdings, LP, Pacifica Enterprises, Inc., Pacifica Enterprises  
10 LLC, Pacifica Real Estate Investments, Inc., Pacifica Real Estate Services, Inc., and  
11 Vimark RE Enterprises, LLC. (ECF No. 313.) Cannon subsequently filed a Joinder to  
12 this Motion on February 1, 2012. (ECF No. 327.)

13 4. The Motion for Partial Summary Judgment Due Lack of Evidence of Damages and  
14 Causation originally filed on January 25, 2012, by Defendants, Copper Sands Realty,  
15 LLC, Dario De Luca, Robert Colucci, Copper Sands Investors, LP, Renato De Luca  
16 a/k/a Ray De Luca and Ray De Luca, Pacifica Enterprises Holdings, LP, Pacifica  
17 Enterprises, Inc., Pacifica Enterprises LLC, Pacifica Real Estate Investments, Inc.,  
18 Pacifica Real Estate Services, Inc., and Vimark RE Enterprises, LLC. (ECF No. 312.)  
19 Cannon subsequently filed a Joinder to this Motion on February 1, 2012. (ECF No. 325.)

20 The Court agrees that Cannon has preserved the issues presented in these Motions for  
21 Summary Judgment. However, rather than revive motions that were filed more than two years  
22 ago by defendants that have long been dismissed from this action, the Court will extend the  
23 dispositive motions deadline to Tuesday, April 8, 2014, *for the limited purpose* of allowing  
24 Cannon to file a renewed motion for summary judgment that complies with both Local Rule 7-  
25

4 and Local Rule 56-1.<sup>1</sup> If Cannon elects to file such a Motion for Summary Judgment, Plaintiffs' Response shall be due on Tuesday, April 29, 2014. *See* D. Nev. R. LR 7-2(e). Cannon's Reply, if any, shall be due on Tuesday, May 13, 2014. *See id.*

## **II. STIPULATION TO EXTEND JOINT PRE-TRIAL ORDER DEADLINE**


As discussed above, the Court is extending the dispositive motions deadline. Accordingly, the Court grants the parties' joint request to extend the deadline to file Proposed Joint Pre-Trial Order. (*See* Stipulation, ECF No. 674.) Accordingly, for the reasons discussed in this Order, and for the reasons that the parties articulate in their Stipulation, (ECF No. 674), the Court vacates the March 17, 2014 deadline. The deadline to file the Proposed Joint Pre-Trial Order shall be set 30 days following the Court's disposition of any motion for summary judgment that Cannon files on or before Tuesday, April 8, 2014. If no such motion for summary judgment is filed, the parties' Proposed Joint Pre-Trial Order shall be due on Thursday, May 8, 2014.

## **III. CONCLUSION**

**IT IS HEREBY ORDERED** that the dispositive motions deadline is extended to Tuesday, April 8, 2014, for the limited purpose of allowing Defendant to file a renewed Motion for Summary Judgment.

**IT IS FURTHER ORDERED** that the Parties' Stipulation to Extend Time for Submission of a Proposed Joint Pre-Trial Order is **GRANTED**.

**DATED** this 18 day of March, 2014.

  
 Gloria M. Navarro, Chief Judge  
 United States District Judge

<sup>1</sup> The Court emphasizes that filing multiple motions for summary judgment to avoid the limitation on pages in Local Rule 7-4 is improper and will not be permitted. The Court also notes that neither Local Rule 7-4 nor Local Rule 56-1 permits a party to except from the page limit the required statement of facts.